

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PEDRO GOMEZ,

No. C 08-2969 MMC

Plaintiff,

**ORDER OF DISMISSAL**

v.

R. MILLS, et al.,


Defendants.

The Court having been advised the parties have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that plaintiff's claims be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar for further proceedings as appropriate.

**IT IS SO ORDERED.**

Dated: December 21, 2012

  
MAXINE M. CHESNEY  
United States District Judge